

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION	)	MDL No. 1456
THIS DOCUMENT RELATES TO 01-CV-12257-PBS	)	Civil Action No. 01-CV-12257 PBS
NOTICE OF APPEAL FOR THERESE SHEPLEY & LARRY YOUNG (#4954)	)	Judge Patti B. Saris

**STIPULATION REGARDING RECORD ON APPEAL**

Class Counsel for Plaintiffs and Defendants Johnson & Johnson, Centocor, Inc. and Ortho Biotech Products L.P. agree that the record on appeal should be supplemented pursuant to Fed. R. App. P. 10(e)(2) and retained in the District Court pursuant to Fed. R. App. P. 11(f).

Accordingly, the undersigned parties hereby stipulate as follows:

1. The items on the four attached lists shall constitute the record on appeal for the notices of appeal identified above;
2. The District Court may certify and forward the attached lists to the First Circuit instead of physical copies of the record;
3. The parties may cite in their briefs and include in the Joint Appendix any portion of the record so designated or any documents before the district court, as long as otherwise permitted by the Federal Rules of Appellate Procedure, regardless of whether that portion of the record has been physically transferred to the First Circuit; and
4. Any error or omission in the contents of the record discovered after the filing of this stipulation may be corrected in accordance with Fed. R. App. P. 10(e).

Date: May 9, 2008

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered on May 9, 2008 to counsel for plaintiffs and to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, via LexisNexis File & Serve.

/s/ Steve W. Berman  
Steve W. Berman